

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Umar Alli,

Plaintiff,

-against-

Warden Sharlisa Walker, et al.,

Defendants.

USDC SDNY
DOCUMENT
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DOC #:
DATE FILED: 05/25/2023

1:22-cv-07616 (RA) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

Per the Court's March 26, 2023 Order (ECF No. 27), Plaintiff shall file an Amended Complaint, naming the Defendants identified in the attached May 25, 2023 Letter (ECF No. 30) no later than Friday, June 30, 2023.

SO ORDERED.

Dated: New York, New York
 May 25, 2023

Stewart D. Aaron

STEWART D. AARON
United States Magistrate Judge



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
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May 25, 2023

VIA ECF

Hon. Stewart D. Aaron
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Umar Alli v. Warden Walker, et al., 22 Civ. 7616 (RA) (SDA)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney for Defendants City of New York and Warden Walker in the above-referenced matter. This Office respectfully writes in partial response to the Court's March 26, 2023 Valentin Order and to respectfully request the Court's leave to provide additional updates once the Office receives additional responsive information.¹

By way of brief background, Plaintiff, who is proceeding *pro se*, alleges that his rights were violated while he was a pre-trial detainee at the Robert N. Davoren Center and Bellevue Hospital in November 2021. (See ECF No. 2). Plaintiff alleges that he was subjected to excessive force on November 11, 2021, November 17, 2021, and November 22, 2021, and that he was denied medical care after those uses of force. (Id.)

On March 26, 2023, the Court directed this Office "to identify the John and Jane Doe defendants who were involved in the November 2021 incidents alleged in the Complaint." (See ECF No. 27).

The Office has conducted an investigation in an attempt to respond to the Valentin Order. In sum, Plaintiff purports to make allegations against at least 53 individuals, and this Office is presently only able to identify the individuals to the extent that Plaintiff has provided sufficient descriptive information. For the Court's convenience, the Office has organized the list of defendants provided by Plaintiff on pages 3 through 8 of the Complaint into the below chart in an

¹ While this Office is cognizant that Rule I.A of Your Honor's Individual Practices generally limits letters to three pages, the extensive nature of this response necessitates exceeding that page limit and, thus, the Office also respectfully requests the Court's leave to submit the instant letter in excess of three pages.

attempt to identify them. (Id.)

Defendants in the Complaint	Identity	Service Address(es)
R.N.D.C. Warden Sharlisa Walker	Warden Sharlisa Walker.	Warden Walker is already a Defendant in this action and is represented by this Office.
R.N.D.C. Deputy of Security “Deputy Chester”	Upon information and belief, Plaintiff intends to name: Deputy Warden Solomon Chester.	Robert N. Davoren Center, 11-11 Hazen Street, East Elmhurst, New York 11370
R.N.D.C. Security Team Officers 1 through 10 of Nov 17 Use of Force	Upon information and belief, Plaintiff intends to name the following as involved in the November 17, 2021, use of force: Captain L. Ratchford, Shield No. 1474; CO S. Randazzo, Shield No. 11336; CO C. Bobb, Shield No. 1592; CO K. Rose, Shield No. 19874; CO J. Yepez, Shield No. 19227; CO J. Weng, Shield No. 19353; CO J. Bonner, Shield No. 8708; CO Y. Carr, Shield No. 19172; CO W. Ammari, Shield No. 7333; and CO A. Lewis, Shield No. 12083.	All except J. Weng and J. Bonner may be served at the Robert N. Davoren Center, 11-11 Hazen Street, East Elmhurst, New York 11370. This Office is presently confirming the service addresses of J. Weng and J. Bonner and will supplement its response as soon as practicable upon receipt; both individuals no longer work for DOC.
“John Doe” Doctor and nurse whom failed to report visible injuries when see[sic] and allegedly treated on dates of Nov, 18, 2021, and Nov	Upon information and belief, Plaintiff intends to name: Scott Parks, PA and Oo Aung, MD. The Office is continuing to search for responsive information regarding the identity of the nurse	49-04 19 th Avenue, Astoria, New York 11105. C/o Gwendolyn Renee Tarver.

19, 2021.	referenced by Plaintiff.	
Jane Doe Treating doctor on November 20, 2021	Upon information and belief, Plaintiff intends to name: Susan Billinghamst-Hamlet, PA.	49-04 19 th Avenue, Astoria, New York 11105. C/o Gwendolyn Renee Tarver
Captain Freeman	Upon information and belief, no Captain Freeman is listed as involved in any use of force in November 2021. Thus, this Office is presently unable to identify this individual may require more information (<i>i.e.</i> , physical description, alleged involvement, etc.).	N/A
Captain Clarke	Upon information and belief, Plaintiff intends to name: Captain G. Clarke. The Office is awaiting confirmation concerning this officer's shield number and will supplement its response as soon as practicable upon receipt.	This Office is presently confirming the service address of G. Clarke and will supplement its response as soon as practicable upon receipt.
Deputy Warden Mira J.	This Office is presently unable to identify this individual and may require more information (<i>i.e.</i> , physical description, alleged involvement, etc.).	N/A
Officer Yapez	Upon information and belief, Plaintiff intends to name: CO J. Yepez, Shield No. 19227.	Robert N. Davoren Center, 11-11 Hazen Street, East Elmhurst, New York 11370.
Officer Smith	Upon information and belief, three different individuals with the last name "Smith" appear in the use of force report from the November 17, 2021 incident. Thus, this Office is presently unable to identify this individual without more information (<i>i.e.</i> , physical description, alleged involvement, etc.).	N/A
Officer Luly	Upon information and belief, Plaintiff intends to name: CO C.	Robert N. Davoren Center, 11-11 Hazen Street, East

	Luly, Shield No. 3932.	Elmhurst, New York 11370.
Officer Carr	Upon information and belief, Plaintiff intends to name: CO Y. Carr, Shield No. 19172.	Robert N. Davoren Center, 11-11 Hazen Street, East Elmhurst, New York 11370.
All Captains and deputies who worked R.N.D.C. Intake on dates of November 17, 2021, November 18, 2021, and November 19, 2021.	Upon information and belief, this Office does not yet possess the relevant DOC records to identify the individuals Plaintiff seeks to name. Further, this Office is presently unable to identify the individuals and may require more information. (<i>i.e.</i> , physical description, alleged involvement, etc.). (<i>i.e.</i> , physical description, alleged involvement, etc.).	N/A
Housing Area Officers of R.N.D.C. 1 Central South, 1 through 3	Upon information and belief, this Office is presently unable to identify the individuals and may require more information. (<i>i.e.</i> , physical description, alleged involvement, etc.).	N/A
Officer Gordon	Upon information and belief, Plaintiff intends to name: CO J. Gordon. The Office is awaiting confirmation concerning this officer's shield number and will supplement its response as soon as practicable upon receipt.	The Office is awaiting confirmation concerning this officer's service address and will supplement its response as soon as practicable upon receipt.
John Doe Officers of November 11, 2021 Extraction	Upon information and belief, Plaintiff intends to name: Captain M. Blake, Shield No. 884; CO N. McCormack, Shield No. 15440; CO W. Ashburne, Shield No. 9046; CO Y. Carr, Shield No. 19172; CO W. Ammari, Shield No. 7333;	All but R. Blake may be served at the Robert N. Davoren Center, 11-11 Hazen Street, East Elmhurst, New York 11370. This Office is presently confirming the service address of R. Blake, who no longer works for DOC, and will supplement its response as soon as practicable upon receipt.

	<p>CO J. Yepez, Shield No. 19227;</p> <p>CO G. Rivera, Shield No. 12088;</p> <p>CO W. Pena, Shield No. 3374;</p> <p>CO A. Lewis, Shield No. 12083;</p> <p>CO C. Luly, Shield No. 3932; and</p> <p>CO R. Blake, Shield No. 19477.</p>	
ESU Captain Frazier	<p>Upon information and belief, Plaintiff intends to name: Captain R. Fraser, Shield No. 1397.</p>	K9 Emergency Services Unit, 200 West Perimeter Rd., East Elmhurst, New York 11370.
ESU Officer Clarke	<p>Upon information and belief, Plaintiff intends to name: CO T. Clarke, Shield No. 11664.</p>	K9 Emergency Services Unit, 200 West Perimeter Rd., East Elmhurst, New York 11370.
John Doe Officers present during use of force on November 22, 2021	<p>Upon information and belief, Plaintiff intends to name:</p> <p>CO S. Fowling, Shield No. 3348;</p> <p>CO K. Rush, Shield No. 17075; and</p> <p>CO E. Cotto, Shield No. 9978.</p>	K9 Emergency Services Unit, 200 West Perimeter Rd., East Elmhurst, New York 11370.
Doctor Aaron Hultragen M.D.	<p>Upon information and belief, the Office is presently unable to identify this individual, but is in communication Bellevue Hospital and is continuing its attempts to obtain additional information.</p>	N/A
John Doe, Jane Doe whom are any hospital police and or N.Y.P.D., Police Officers, and Doctors, and Nurses whom failed to report or intervene in misuse of force on November 22, 2021, at Bellevue Hospital.	<p>Upon information and belief, this Office is presently unable to identify this individual and may require more information. (<i>i.e.</i>, physical description, alleged involvement, etc.).</p>	N/A

Chief of DOC	Upon information and belief, this Office is presently unable to identify this individual and may require more information. (<i>i.e.</i> , physical description, alleged involvement, etc.). It is unclear whether Plaintiff refers to the Commissioner of DOC or to a Chief of DOC, of which there are multiple.	N/A
John Doe Investigation Division Investigators	Upon information and belief, this Office is presently unable to identify the individuals and may require more information. (<i>i.e.</i> , physical description, alleged involvement, etc.).	N/A
John Doe Chief of Investigation Division	Upon information and belief, this Office is presently unable to identify this individual and may require more information. (<i>i.e.</i> , physical description, alleged involvement, etc.). It is unclear whether Plaintiff refers to the head of the Investigation Division, or an individual supervisor.	N/A

As detailed above, the Office is presently unable to identify all of the “John” and “Jane Doe” officers. However, the Office can supplement its response in the event that the Office receives additional clarifying information from Plaintiff or other entities, if applicable.

The Office thanks the Court for its time and consideration.

Respectfully,



 Jesse N. Zilinski
Assistant Corporation Counsel

cc: **VIA FIRST CLASS MAIL**
Umar Alli
DIN: 22-B-2174
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639 Exchange St.
Attica, New York 14011-0149